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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/752,307      | 12/29/2000  | Clifford Lee Knight  | BS00126             | 8010             |

7590

10/20/2005

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| EXAMINER |
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TRAN, PABLO N

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| ART UNIT | PAPER NUMBER |
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2685

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                      |  |
|------------------------------|------------------------|----------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b>  |  |
|                              | 09/752,307             | KNIGHT, CLIFFORD LEE |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>      |  |
|                              | Pablo N. Tran          | 2685                 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) 32-34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 and 35-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 7-9, 13-28, 30-31, and 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Priest et al.* (6,047,160) in view of *Council et al.* (National Transportable Telecommunications Capability: Commercial Satellite and Cellular Comm. For Emergency Preparedness, vol. 1, conf. 11, pages 137-140 XP000346717).

As per claims 1 and 35, *Priest et al.* disclosed a remote, self-contained communications antenna apparatus (fig. 2), mounted on a vehicle (col. 5/ln. 49-51), for transceiving wireless communication signals between said equipment and a disconnected cell site (col. 3/ln. 22-30, col. 5/ln. 28-44) that has been disconnected from its cellular system, and transceiving communication signals between said equipment and a communications network (col. 2/ln. 49-col. 3/ln. 30).

*Priest et al.* disclosed a deployable base station system having such mast but not explicitly a collapsing antenna. However, such collapsing antenna is well known in the art, as suggested by *Council et al.* (pg. 138, paragraph 6<sup>th</sup>). Therefore, it would have been obvious to one of ordinary skill in the art to provide such collapsing antenna to the

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deployable base station system as taught by *Priest et al.* in order to provide a compact system for air transportability.

As per claims 2-13, the modified system of *Priest et al.* further disclosed wherein said wireless communication signals between said equipment and said disconnected cell site are transceived in a range of 806-960 MHz, 1710-1855 MHz, 2500-2690 MHz, or 2.4-2.5 GHz and the communication signals are for pagers, digital processing devices, or any frequency signal in the electromagnetic spectrum (see *Priest et al.*, col. 5/ln. 18-22, see *Council et al.*, pg. 137-139, furthermore as stated in the specification, paragraph 0011).

As per claims 14-15, the modified system of *Priest et al.* further disclosed celestial communications network or terrestrial communications network (see *Priest et al.*, col. 3/ln. 51-54, col. 5/ln. 45-58, see *Council et al.*, pg. 137-139).

As per claim 16, the modified communication system of *Priest et al.* disclosed all claim limitations except for temperature control and a solar-power generator. However, such is notoriously well known in the art that the examiner takes Official Notice of such. Therefore, it would have been obvious to one of ordinary skill in the art to provide such temperature control and a solar-power generator to the modified communication system of *Priest et al.* in order to provide such cooling means to keep the deployable base station function properly but also provide such alternative power source to the deployable base station during critical times.

As per claim 17, and 31, the modified system of *Priest et al.* further disclosed a phone (see *Priest et al.*, fig. 3a/no. 152, 154, 156, 158, 164, 166, 172, 174).

As per claims 18 and 27, the modified system of *Priest et al.* further disclosed an electrical power source (see *Priest et al.*, col. 5/ln. 45-58, see *Council et al.*, pg. 137-139).

As per claim 19, the modified system of *Priest et al.* further disclosed a personal computer (see *Priest et al.*, col. 5/ln. 45-58, see *Council et al.*, pg. 137-139).

As per claim 20, the modified system of *Priest et al.* further disclosed the equipment is attached to a vehicle (see *Priest et al.*, col. 5/ln. 45-58, col. 6/ln. 46-55, see *Council et al.*, pg. 137-139).

As per claim 21, the modified system of *Priest et al.* further disclosed a trailer (see *Priest et al.*, col. 5/ln. 45-58, col. 6/ln. 46-55, see *Council et al.*, pg. 137-139).

As per claim 22, the modified system of *Priest et al.* further disclosed a motorized vehicle (see *Priest et al.*, col. 5/ln. 45-58, col. 6/ln. 46-55, see *Council et al.*, pg. 137-139).

As per claim 23, the modified system of *Priest et al.* further disclosed the charging source further charges the motorized vehicle (see *Priest et al.*, col. 5/ln. 45-58, see *Council et al.*, pg. 137-139).

As per claim 24, the modified system of *Priest et al.* further disclosed an extendible mast (see *Priest et al.*, col. 5/ln. 45-58, col. 6/ln. 46-55, see *Council et al.*, pg. 137-139).

As per claims 25-26, the modified system of *Priest et al.* further disclosed wherein said signal processor comprises a digital/analog signal processor (see *Priest et al.*, col. 4/ln. 12-34, see *Council et al.*, pg. 137-139).

As per claims 28 and 37-38, the modified system of *Priest et al.* further disclosed the remote antenna apparatus communicated with the disconnected cell site using wireless communications (see *Priest et al.*, col. 2/ln. 49-col. 3/ln. 30).

As per claims 30 and 36, as stated in claim 1, the modified system of *Priest et al.* further disclosed cellular devices that use a standard setup channel and frequency coordination (see *Priest et al.*, col. 2/ln. 49-col. 3/ln. 30).

3. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over the modified system of *Priest et al.* and in view of *Knoblach et al.* (6,628,941).

As per claim 29, the modified communication system of *Priest et al.* disclosed such wireless communications with the disconnected cell site but not wired medium. However, *Knoblach et al.* suggested such medium (see *Knoblach et al.*, fig. 2/no. 30d). Therefore, it would have been obvious to one of ordinary skill in the art to provide such medium communication to the modified communication system of *Priest et al.* in order to provide a secure medium communication means.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1, 30, and 35-36 have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Baumann (6,148,196) and McCraw et al. (6,804,515) disclose such mobile base station in a radiotelephone communication system.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (571)272-7898. The examiner normal hours are 9:30 -5:00 (Monday-Friday). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571)272-7899.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

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Washington, D.C. 20231

or faxed to:

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

October 05, 2005

**PABLO N. TRAN**  
**PRIMARY EXAMINER**

8.

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